

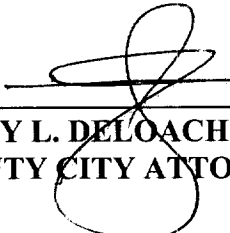
Entered - 01/10/03 - sb  
CL03L0022 - DIANNE C. MITCHELL

CLAIM OF: EMMANUEL TANNOR  
180 Northern Avenue  
#23J  
Avondale Estates, Georgia 30002

03-*e* -1627

For damages alleged to have been sustained as a result of vehicular damage due to driving over an open construction cut on December 14, 2002 at North Avenue and Luckie Street.

THIS ADVERSED REPORT IS APPROVED

BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY


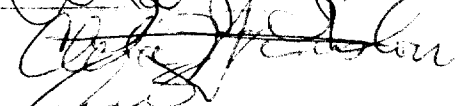
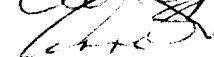
ADVERSE REPORT  
PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 10/24/03

CHAR: 

Mary Norwood

C. T. Mant



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

October 29, 2003

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Emmanuel Tannor  
180 Northern Ave.  
#23J  
Avondale Estates, GA 30002

03-R-1627

Dear Mr. Tannor:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on October 20, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 03L0022

Date: September 29, 2003

Claimant /Victim EMMANUEL TANNOR

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: 280 Northern Avenue, #23J, Avondale Estates, Georgia 30002

Subrogation: Claim for Property damage \$ 575.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 01/08/03 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 12/14/02 Place: North Avenue and Luckie Street

Department \_\_\_\_\_ Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges his vehicle was damaged when it was driven over an open and unsafe street cut. The investigation determined that United Water Services Atlanta had been working in the area at the time. The claim was tendered to United Water Services Atlanta and they have made restitution to the claimant.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_

Claims Manager:  Concur/date 09-30-03

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 5099  
10/20/03  
4:32 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I EXCEPT:03-O-1695, 03-O-1444  
03-O-1689, 03-O-1493, 03-O-1494

~~RECONSIDER~~

**ADOPT**

YEAS: 10  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
N Young	Y Shook	Y Maddox	B Willis
NV Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5098  
10/20/03  
4:30 PM

Atlanta City Council

## Regular Session

CONSENT I            CONSENT I & II PGS 1-22 EXCEPT:03-O-1695  
                               03-O-1444, 03-O-1689, 03-O-1493  
                                        RECONSIDER

YEAS:	10
NAYS:	1
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	1

See RCS#  
5067

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
N Young	Y Shook	Y Maddox	B Willis
NV Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5067  
10/20/03  
2:15 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-17, EXCEPT:03-O-1695,  
03-O-1444, 03-O-1689, 03-O-1493  
ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 1

*Reconsidered 104  
See RCS# 17  
5098*

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	B Willis
Y Winslow	NV Muller	NV Boazman	NV Woolard

CONSENT I

		10-20-03 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1509 2. 03-O-1510 3. 03-O-1706 4. 03-O-1354 5. 03-O-1500 6. 03-O-1501 7. 03-O-1130 8. 03-O-1434 9. 03-O-1512 10. 03-O-1586 11. 03-O-0662 12. 03-R-1669 13. 03-R-1508 14. 03-R-1661 15. 03-R-1662 16. 03-R-1663 17. 03-R-1664 18. 03-R-1691 19. 03-R-1704 20. 03-R-1670 21. 03-R-1671 22. 03-R-1672 23. 03-R-1673 24. 03-R-1674 25. 03-R-1675 26. 03-R-1654 27. 03-R-1655 28. 03-R-1711 29. 03-R-1724 30. 03-R-1725 31. 03-R-1726 32. 03-R-1727 33. 03-R-1656 34. 03-R-1657 35. 03-R-1728 36. 03-R-1594 37. 03-R-1595 38. 03-R-1596 39. 03-R-1597 40. 03-R-1598	41. 03-R-1599 42. 03-R-1600 43. 03-R-1601 44. 03-R-1602----- <b>Items Adversed on Consent</b> 45. 03-R-1603 46. 03-R-1604 47. 03-R-1605 48. 03-R-1606 49. 03-R-1607 50. 03-R-1608 51. 03-R-1609 52. 03-R-1610 53. 03-R-1611 54. 03-R-1612 55. 03-R-1613 56. 03-R-1614 57. 03-R-1615 58. 03-R-1616 59. 03-R-1617 60. 03-R-1618 61. 03-R-1619 62. 03-R-1620 63. 03-R-1621 64. 03-R-1622 65. 03-R-1623 66. 03-R-1624 67. 03-R-1625 68. 03-R-1626 69. 03-R-1627 70. 03-R-1628 71. 03-R-1629 72. 03-R-1630 73. 03-R-1631 74. 03-R-1632 75. 03-R-1633 76. 03-R-1634 77. 03-R-1635 78. 03-R-1636 79. 03-R-1637	80. 03-R-1638 81. 03-R-1639 82. 03-R-1640 83. 03-R-1641 84. 03-R-1642 85. 03-R-1643 86. 03-R-1644 87. 03-R-1645 88. 03-R-1646 89. 03-R-1647 90. 03-R-1648 91. 03-R-1649